

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**TIA CROOK,**

**Plaintiff,**

**vs.**

**MAGNUM DEDICATED, INC., d/b/a  
MAGNUM TRUCKING, and DEBORAH  
PEREZ,**

**Defendants.**

**8:21CV482**

**ORDER TO SHOW CAUSE**

Federal Rule of Civil Procedure 4(m) provides, “If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” [Fed. R. Civ. P. 4\(m\)](#).

Plaintiff filed the Complaint in state court on November 5, 2021, and the defendant, Magnum Dedicated, Inc., removed the action to this court on December 28, 2021. ([Filing No. 1](#)). More than 90 days has elapsed since this action was removed to this court. See *Hall v. O'Clallaghan*, No. 4:13CV3066, 2013 WL 12141247, at \*2 (D. Neb. June 26, 2013) (Rule 4(m)’s time limit for service begins running when an action is removed to federal court). To date, Plaintiff has not filed any return of service or signed waiver indicating service on the defendant, Deborah Perez. Defendant Perez has not entered a voluntary appearance or otherwise appeared, and Plaintiff has not requested an extension of time to complete service. Accordingly,

**IT IS ORDERED** that Plaintiff shall have until **April 18, 2022**, to show cause why the defendant, Deborah Perez, should not be dismissed pursuant to [Federal Rule of Civil Procedure 4\(m\)](#) or for want of prosecution. The failure to timely comply with this order may result in dismissal of Deborah Perez from this action without further notice.

Dated this 4<sup>th</sup> day of April, 2022.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge